UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/704,548	11/03/2000	Yuichi Kato	50063-059	4661

7590   07/01/2005

McDermott Will & Emery
600 13th Street NW
Washington, DC 20005-3096

EXAMINER
BOCCIO, VINCENT F

ART UNIT	PAPER NUMBER
2616	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/704,548	KATO ET AL.
	Examiner	**Art Unit**	
	Vincent F. Boccio	2616	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *Amendment of 3/7/05*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2616.

Response to Arguments

1.   Applicant's arguments filed 3/7/05 against amended all claim amended have been fully considered but they are not persuasive.

{A} In re pages 12-13, applicant states,

1) "As shown in Fig. 7, the reference discloses an IDL which directly specifies a special effect applied to "video objects" (the claimed image data) as a specific object in the "asset/object bin.",

2) "Escobar does not disclose mapping data which correspondence between an editing effect name one of a plurality of effect data, as recited.",

3) "… the editing management data indirectly specifies the effect data representing the editing effect by using the editing effect name. Therefore, the editing management data differs from the IDL disclosed in Escobar in structure.", and

4) "Further, the claims recite changing the mapping data representing correspondence between "an editing effect name" and "one of the plurality of the editing effect." This modification process is different from an object editing process disclosed in Escobar.".

In response the examiner searches Escobar for the IDL, found in Fig. 5 G, associated with Fig. 5 A, being a RUN application.

Furthermore, the IDL at col. 4, lines 17-, is an "INTERACTIVE DECISION LIST", which capture the editing decisions, typically represented bin ACSII, an interactive multimedia application can be edited using a standard text editor and items can be added, deleted or changed.

When an application is run at the time of running, one could say that since the names are linked or mapped to effects, one could say they are directly specified, but, since editing can be done or modification to the editing effect, associated with the name, can be changed, without changing the name, effectively the objects have an indirect relationship, as claimed.

If not, can applicant show that, upon editing an existing effect (after creation Fig. 5 B), editing an effect Fig. 5 C,

that a name of the object, upon modification, must be RENAMED,
such as Special Effect 15, being a Fade CHL 1 to CHL 2, that the
name is required to be changed upon modification with respect to
Fig. 5 C ??

Since the examiner has not located this requirement, upon
modification of object effects, the mapping data linked or
associated with the objects can be modified without changing the
name, therefore, in effect, has an indirect correspondence
between the name and effect data, therefore, only the effect or
mapping representing the effect, associated with a NAME, is or
can be modified, without a name change, upon running the
application to view the sequence, with prior modification of an
object changed will be used or the modified version, because it
has been changed in name, therefore, is an indirect relationship
as applicant also discloses the same, there is no difference
that the examiner can state, besides slightly different ways of
describing what is really disclosed.

The examiner does not require exact language to realize
applicant has claimed substantially the same, merely with a
slightly different way of describing or claiming, using slightly
different wording, but, not considered to be different in
function but, merely slightly different in wording.

Further see the additional details addressing the newly
presented claim language below.

The primary examiner invites applicant to discuss any
issues not deemed clear to applicant.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of
   35 U.S.C. 102 that form the basis for the rejections under
   this section made in this Office action:
   A person shall be entitled to a patent unless --
   (b) the invention was patented or described in a printed
   publication in this or a foreign country or in public use
   or on sale in this country, more than one year prior to the
   date of application for patent in the United States.

2. Claims 1-21 are rejected under 35 U.S.C. 102(b) as being
   anticipated by Escobar et al. (US 5,659,793).

   Regarding claim 1, Escobar discloses and meets the
   limitations associated with a method and corresponding
   apparatus for editing motion video to generate a series of

edited motion video image data, the video editing apparatus comprising:

The examiner incorporates by reference the last detailed action against the claims and will only address the arguments and newly recited language argued against the claims, deemed met by the reference Escobar, as will be clearly provided.

The claims are amended to further recite,

"an effect data memory that stores a plurality of effect data, wherein each of the plurality of effect data specifies an editing effect applicable to one or more of the plurality of image data", which this limitation was not particularly argued but, reads on having a plurality of editing effects that can be made save and used as more than once or reused or used as many times as desired by a user doing the actual editing, in accord to Fig. 5 A, objects being one form of editing effects, can be created 5131, edited after creation 5132, defined by name Fig. 7, "Special effect 15 (Fade CHL 1 to CHL 2), which the name 15 implies that there may exist for user selection 1-14, and used Special Effect 15, as users can create many objects and put into bins to be used in editing as desired.

Col. 6, Escobar,

"Assets or Objects are stored in "bins" or subdirectories each of which reflects objects of a particular type or category."

"Other objects are more functional and may be reused in the development of any applicant."

"Typically, these properties are defined at the time of creation of the objects and can be specified or edited as required using the functions associated with buttons 171 and 172 of Fig. 1."

Escobar further meets the newly recited claim language of: "editing management data specifies a sequence of the image data and the editing effect name in time series", Fig. 7, beginning and ending times columns.

Further reads on the claim language as recited,

"an image editing unit that applies the editing effect, which is indirectly referred by the editing effect name using the mapping data stored in the effect setting memory" &

"a modification unit …. so as to modify the correspondence between the editing effect name and the effect data among the plurality of effect data."

Applicant's disclosure page 6 line 19 to page 7-, as stated in the specification,

"advantageously enable the screen effect to be changed at only the selected positions by indirect specification In the example of Fig. 1, both the editing effect names B and C mapped to the screen effect A. In the case where the contents corresponding to the editing effect name B need changing to the screen effect C, the screen effect A is changed to screen effect C, the screen effect A is changed to the screen effect C only at the positions having the effect name B, whereas the screen effect A is kept unchanged at the positions having the editing effect name C."

The examiner will make an attempt to clarify what is disclosed.

Effects defined as A, C, called "the screen effects", which can be associated with "editing effects names", B and C,

wherein editing effect B need changing to "the screen effect C", the screen affect A is changed to the screen effect C, for "editing effect name B", meaning that "EDITING EFFECT Name B", is only a name which is mapped or linked or associated with the effect, created being an asset, wherein asset or object or effects can be modified with respect to, Fig. 5 C, since there exists no renaming of objects in the modification of object option Fig. 5 C, with respect to Fig. 5 A, dictating all subroutines or programs to modify objects create 5131, Edit at 5132, the names do not change, therefore, anywhere an object is Used, such as Fig. 7, "Special Effect 15, which is a Fade CHL 1 to CHL 2), can be modified without changing the name, therefore, in effect the names are indirectly associated because they are mapped and remapped to different effects, as is of Escobar.

The assets are created, names for each are established, used as objects, which are mapped to the effect name, these object names are used and reused, such as tools, wherein the object or tool names do not change (see editing of objects Fig. 5 C), but the function or effect is or can be changed as desired by a user, by being mapped or linked or associated, to the actual effect they perform, which can be modified without changing the name, as shown in Fig. 5 C, therefore, are indirect as claimed.

Conclusion

2.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
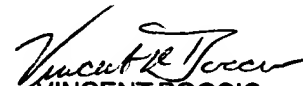
Contact Fax Information

Any response to this action should be faxed to:

(703) 872-9306, (for communication intended for entry)

Contact Information

Any inquiry concerning this communication or earlier communications should be directed to the examiner of record, Monday-Tuesday & Thursday-Friday, 8:00 AM to 5:00 PM Vincent F. Boccio (571) 272-7373.

Primary Examiner, Boccio, Vincent
6/25/05

VINCENT BOCCIO
PRIMARY EXAMINER